

IC 20-8.1-2

Chapter 2. Equal Educational Opportunity for All

IC 20-8.1-2-1

Policy

Sec. 1. Policy. It is the public policy of the state of Indiana:

(a) To provide, furnish and make available equal, non-segregated, non-discriminatory educational opportunities and facilities for all regardless of race, creed, national origin, color or sex;

(b) To provide and furnish public schools and common schools equally open to all and prohibited and denied to none because of race, creed, color or national origin;

(c) To reaffirm the principles of our bill of rights, civil rights and our Constitution;

(d) To provide for the state of Indiana and its citizens a uniform democratic system of public and common school education;

(e) To abolish, eliminate and prohibit segregated and separate schools or school districts on the basis of race, creed or color; and

(f) To eliminate and prohibit segregation, separation and discrimination on the basis of race, color or creed in the public kindergartens, common schools, public schools, vocational schools, colleges and universities of the state.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-2-2

Schools open to all

Sec. 2. Schools Open to All. The public schools of the state of Indiana shall be open to all children until they complete their courses of study, subject to the authority vested in school officials by law.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-2-3

Segregation prohibited; student tracking practices review

Sec. 3. (a) Neither the governing body of any school corporation nor the board of trustees of any college or university shall build or erect, establish, maintain, continue or permit any segregated or separate public kindergartens, public schools or districts, public school departments or divisions, or colleges or universities on the basis of race, color, creed or national origin of pupils or students. These officials may take any affirmative actions that are reasonable, feasible, and practical to effect greater integration and to reduce or prevent segregation or separation of races in public schools for whatever cause. These actions may include, but are not limited to, site selection, revision of school districts, curricula, or enrollment policies to implement equalization of educational opportunity for all.

(b) A school corporation shall review the school corporation's programs to determine if the school corporation's practices of:

- (1) separating students by ability;
- (2) placing students into educational tracks; or
- (3) using test results to screen students;

have the effect of systematically separating students by race, color, creed, national origin, or socioeconomic class.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by P.L.112-2002, SEC.2.

IC 20-8.1-2-4

Segregation prohibited; pupils

Sec. 4. Segregation Prohibited, Pupils. All students and pupils shall be admitted and enrolled in the public or common school in the district in which they reside without regard to race, creed or color, class or national origin. No student or pupil shall be prohibited, segregated or denied attendance or enrollment to any public school, common school, junior high school or high school in his district, or any college or university in the state because of his race, creed, color or national origin. Every student and every pupil shall be free to attend any public school, department or division of a public school, or college or university in the state within the laws applicable alike to noncitizen and nonresident students.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-2-5

Segregation prohibited; schools

Sec. 5. Segregation Prohibited, Schools. No public school, state college or state university shall segregate, separate or discriminate against any of its students on the basis of race, creed or color. Admission to any public school shall not be approved or denied on the basis of race, creed or color.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-2-6

Segregation prohibited; teachers

Sec. 6. Segregation Prohibited, Teachers. No public school, state college or state university shall discriminate in any way in hiring, upgrading, tenure or placement of any teacher on the basis of race, creed, color or national origin.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-2-7

Supplementary nature of chapter

Sec. 7. Supplementary Nature of Chapter. This chapter is supplemental to any and all existing common law, statutory law and civil rights on the public schools, common schools, colleges or universities, and the rights and remedies arising from these laws of the state of Indiana and its citizens.

(Formerly: Acts 1973, P.L.218, SEC.1.)